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C O N F I D E N T I A L SECTION 01 OF 04 TEGUCIGALPA 000687

SIPDIS

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TAGS: [PHUM](#) [PGOV](#) [SOCI](#) [DS](#) [SNAR](#) [HO](#)

SUBJECT: TFH01: HUMAN RIGHTS SITUATION POST-COUP UPDATE 5

REF: TEGUCIGALPA 605 AND PREVIOUS

Classified By: Ambassador Hugo Llorens for reasons 1.4 (b and d).

11. (C) Summary: The Honduran human rights situation continues to be difficult as tensions rise in the prolonged political uncertainty. Another aggravating factor has been the presence of President Manuel "Mel" Zelaya and the First Lady Xiomara Castro de Zelaya on opposite sides of the Honduran-Nicaraguan border. Honduran security forces have become more aggressive while confronting hostile groups and/or protesters, leading to more violence. An American Citizen filming the June 26 melee at the stadium was assaulted by Honduran National Police (HNP) officers and had her camera taken. HNP began a policy of breaking up roadblocks on July 30, and on that same day a confrontation between police and protesters resulted in a violent clash in Tegucigalpa. Post will continue to monitor the situation and verify all accusations of human rights violations. End Summary.

BORDER TENSIONS REMAIN HIGH

12. (C) The first family's presence along the border of Honduras and GOH security forces measures to prevent protesters from reaching President Zelaya in Nicaragua continued to be a flashpoint for more violence in Honduras. (Note: It has been reported that the First Lady and her sons and daughters returned to Tegucigalpa last night.

End Note) The curfew at the border is reported to be, in-effect, 24 hours, which eliminates any freedom of travel to and from the area. The human rights Center for the Investigation and Promotion of Human Rights (CIPRODEH) reported on July 28 that over 75 detained protesters were being transported against their will from the border area to either the city of Danli or Tegucigalpa.

13. (C) Those attempting to reach the border zone must get past five checkpoints and three road blocks reporting taking all day to do so. The human rights NGO CODEH has issued a legal appeal to the Constitutional validity of the curfew and has documented over 85 people who have been detained along the border for breaking curfew.

14. (C) After leaving Tegucigalpa in the morning, the Special Prosecutor for Human Rights (SPHR), German Enamorado, reached the border zone at approximately 17:00 hours with six human rights lawyers on July 27. The group

was delayed negotiating each crossing of five checkpoints and three road blocks in place from Tegucigalpa to Las Manos along the Nicaraguan border. SPHR was investigating the killing of Pedro Ezequiel, whose body was found on July 25 approximately 300 meters from where protesters had been camping. Testimonies indicate that the crime did not occur where the body was found as no one reporting hearing a struggle. Three witnesses claim to have seen Ezequiel taken into custody by HNP officers on July 24 and human rights groups are currently analyzing footage from the 24th to see if Ezequiel appears on video of the demonstrations.

15. (C) The six human rights lawyers met with approximately 40 protesters who claimed they had been living in the mountains to avoid the security forces who had attempted to force them to leave the area. They claimed that the majority of protesters who were able to cross into Nicaragua were being taken care of by Nicaraguan humanitarian groups and only those trapped on the Honduran side were suffering from intimidation and lack of water and food. They estimated that there are approximately 500 protesters remaining in the border area on July 29.

16. (C) There are as-yet uncorroborated reports that a pregnant woman was raped by members of security forces in the El Paraiso Department the weekend of July 25-26 and another women was detained and repeatedly terrorized with threats of sexual abuse. Poloff is working to verify these allegations and to get more information on the victims.

VIOLENCE ERUPTS AFTER SOCCER MATCH

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17. (SBU) An example of the increasingly aggressive measures Honduran security forces are taking was the violence that erupted between police officers and youth spectators at the stadium which claimed two Honduran lives and left 15 injured following a soccer match between cross-town rivals on July 26. Preliminary news reports indicate that the two deaths include one youth who was shot in the throat and another who appeared to have been beaten to death by rival supporters. Between two to six other victims are reported to be in serious conditions, with at least two having also been shot. Twenty-six cartridges of bullets for .45 caliber and 9 millimeter handguns have been recovered at the crime scene. The HNP maintains that the melee began after a passenger on a passing bus opened fire on officers while leaving the stadium.

18. (C) Both teams' supporters have founded youth gangs known as "barras bravas" associated with small-scale drug pushing, misdemeanor crimes, and rival gang violence. These groups have been a growing problem on game days for the past two years. Much of the blame for the crime has been placed either on the "barras" or the aggressive action taken by the police against them. However, according to their parents, both youths killed were not members of the "barras" but rather university students enjoying the football match. Congressman Emilio Cabrera, who is on a Congressional Commission named to tackle the issue, told Poloff on July 29 that the GOH response will be to mount several cameras in and around the stadium as a deterrent for bad behavior.

AMCIT ASSAULTED BY POLICE

19. (C) Tamar Maya Sharabi, an American citizen from New York who resides and works in Honduras for the Agua Para el Pueblo NGO, claims she was assaulted and had her camera taken by HNP in Tegucigalpa on July 26. While filming the violent clashes between police and youth at the stadium,

Sharabi claims she was stopped and then followed by a policeman who was asking for her camera. While hurrying away from him, she suddenly found herself surrounded by 15 policemen who proceeded to grab her, throw her on the ground, hit her with a baton twice, and pull her hair until she let go of her video camera.

¶10. (C) Sharabi claims there were few witnesses because she was assaulted behind a police vehicle (identified as M1-14) but that she was able to remember two names of her attackers (Cadena and Gomez). After the incident, she continued on to the Honduran Teaching Hospital with a friend who promised to help her get her camera back. While at the hospital, she contacted HNP official Mejia who promised to advise the officer in charge at the stadium to help her find her camera. Upon return to the stadium, Sharabi recognized Officers Cadena and Gomez who fled the scene immediately after she identified them. She offered to try and identify some of the other policemen who assaulted her but the official in charge told her that was not necessary and that he did not know anything about her camera.

¶11. (C) The following day July 27, Sharabi went to Police post M1-14 that she had identified on the police car while she was assaulted but received no assistance. She then went to the Center for the Prevention, Treatment and Rehabilitation of Victims of Torture (CPRTR) which assisted her in filing a formal complaint with the Public Ministry (MP). Poloff met with Sharabi for over an hour on July 28 at the Embassy and remains in contact.

MILITARIZATION OF A COMMUNITY

¶12. (U) According to Spanish lawyer and human rights activist Enrique Santiago, the community of Guadalupe Carney in Colon Department has been overtaken by the 15th Battalion of the Honduran Armed Forces (HOAF). The community was established in 2000 through land reform and

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has a history of violence between peasants and land-owners with the military intervening at times. In August of 2008, 11 land-owners were killed by peasants stemming from the land dispute. Santiago claims that the pro-Micheletti "El Heraldito" newspaper reports on July 16th claiming that the military had found armed terrorist cells is false and that the community has been terrorized by security forces aligned with "paramilitary" types because it is deemed as anti-coup and pro-Zelaya.

TRANVESTITE KILLED

¶13. (U) Vicky Hernandez Castillo's badly beaten body was found on June 29 in San Pedro Sula after working the night of the 28th as a sex worker. Human rights groups are inferring that she was killed by security forces given that the curfew was in effect. However, Castillo's death is consistent with a trend of persecution and violence directed towards transvestite sex workers documented by American NGO Human Rights Watch whose recently released report found that 17 had been killed since 2004.

THE CURFEW

¶14. (C) The veracity and application of the curfew is questionable as it has been used mostly as a tool by the de facto regime to prevent protests, limit civil liberties, and control the resistance movement. As such it is ratcheted up or down depending on the plans or protests of

the opposition to the de facto regime. Human rights groups have filed an appeal to the curfew with the justice system because according to Constitutional Article 187 taking measures such as suspending civil liberties are only permissible in cases of territorial invasion, grave disturbances to peace, an epidemic or another calamity.

POLICE BREAK UP ROAD BLOCKS

¶15. (SBU) HNP instituted a new policy to break up pro-Zelaya roadblocks on July 30, and following their first action to carry out this policy, police and protesters clashed violently. HNP reports that around 100 protesters were arrested, including independent presidential candidate and pro-Zelaya "Popular Bloc" leader Carlos H. Reyes, who suffered a broken arm and other injuries in the melee (he was soon afterwards released). In the clashes, teacher Roger Vallejo was shot in the head and seriously wounded. However, HNP maintain that they only utilized nonlethal measures, i.e. rubber bullets and tear gas, to break up the protests and claim Vallejo must have been shot by another protester. C-Libre, a free press organization, claims that several journalists covering the protests, including Karen Mendez and Roger Guzman from TeleSUR, were beaten and had their cameras taken.

¶16. (SBU) While breaking up a separate protest in Comayaguela (working class township in the metropolitan area of Tegucigalpa), a protester allegedly stole a police officer's gun and then used it to shoot and wound a second officer. HNP are expecting another day of large protests based on reports that the First Lady has returned to Tegucigalpa.

COMMENT

¶17. (C) The human rights situation is slowly deteriorating due to rising tensions and continued political uncertainty. Security forces have become more forceful and aggressive while dealing with protesters and perceived hostile groups such as rowdy youth gangs. The de facto regime has allowed its offices in charge of investigating human rights abuses to weaken by sending away its lead Special Prosecutor for Human Rights to a course in Chile. The Commissioner of Human Rights has become an apologist

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for the coup. Post will continue to support civil society groups in their defense of human rights and liaise with other donor entities in Honduran to coordinate efforts to support the human rights of all Hondurans.
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